

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RYAN M. MEREDITH,
Petitioner,

v.

Case No. 07C0420

DAVID A. CLARKE, JR.,
Respondent.

ORDER

_____ On July 9, 2007, I issued an order setting a briefing schedule in this case. The order allowed petitioner 45 days from the date respondent filed an answer in which to file a brief in support of his petition for a writ of habeas corpus. Respondent filed an answer on August 3, 2007, and petitioner's brief in support was therefore due on September 17, 2007. To date, petitioner has not filed any brief in support of his petition.

Civil Local Rule 41.3 (E.D. Wis.) allows me to dismiss a case where it appears that the plaintiff or petitioner is not diligently prosecuting the action. In this case, petitioner has failed to file the required brief or otherwise indicate a desire to continue his case. I will allow petitioner an extension of time to file his brief in support. However, petitioner is hereby advised that unless he files his brief in support on or before **February 29, 2008**, this case may be dismissed with prejudice for lack of prosecution pursuant to Civil L.R. 41.3 (E.D. Wis.). Should petitioner file his brief in support in accordance with this order, the relevant portion of the briefing schedule in the July 9, 2007 Order will be reinstated: respondent shall have 45 days following the filing of petitioner's initial brief within which to

file a brief in opposition; and petitioner shall have 30 days following the filing of respondent's opposition brief within which to file a reply brief, if any.

SO ORDERED at Milwaukee, Wisconsin this 8 day of February, 2008.

/s

LYNN ADELMAN

District Judge